

House bill No. 185, "An act defining the duties of the Comptroller," the same being the unfinished business of yesterday, was then taken up and read second time.

Senator Shelley moved to refer the bill to the Committee on Finance, which was lost by the following vote:

Yeas—Senators Avinger, Ball, Cole, Dillard, Dohoney, Evans, Henry, King, Latimer, Sayers, Shelley, Swift, Word and Mr. President—14.

Nays—Senators Baker, Ford, Finlay, Flanagan, Fountain, Franks, Gaines, Hall, Pyle, Rawson, Randle, Ruby, Saylor and Tracy—14.

Senator Finlay offered the following amendment: "*Provided*, that this act shall not affect the unexpended balances of an appropriation for the support of the State government under the act of the Legislature of May 19, 1871; *and provided further*, that the unexpended balances for the support of the State government under the act of May, 19, 1872, are hereby appropriated for the support of the State government for the fiscal year beginning September 1, 1872, and ending September 1, 1873, in accordance with the provisions of said act of May 19, 1871."

Senator Saylor offered the following amendment to the amendment offered by Senator Finlay: "*And provided further*, that this act shall not apply to the appropriation made for the erection of the Agricultural and Mechanical College." Adopted.

The amendment, as amended, was then adopted and passed to third reading.

On motion of Senator Flanagan the Senate adjourned to 10 o'clock A. M. to-morrow.

SENATE CHAMBER,)
AUSTIN, TEXAS, March 8, 1873. }

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

On motion of Senator Rawson, the reading of the journal of yesterday was dispensed with.

Senator Baker presented a petition from the citizens of Caldwell county, protesting against the passage of a hog law. Read first time and referred to the Committee on Stock and Stock Raising.

Senator King presented a petition from the citizens of Bexar district, praying the creation of a new county. Read and referred to the Committee on Counties and County Boundaries.

Senator Shelley, chairman of the Committee on Finance, submitted the following reports :

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Finance, to whom was referred House bill No. 121, to be entitled "An act making an appropriation to pay the mileage and *per diem* of presidential electors," have carefully considered the same, and instruct me to report the bill back to the Senate and recommend its passage.

N. G. SHELLEY, Chairman.

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Finance, to whom was referred House bill No. 162, to be entitled "An act to authorize the County Court of Comal county to levy a special tax," have carefully considered the same, and instruct me to report it back to the Senate with the following amendment, viz:

Insert after the word "provided," in section one, the word "before."

And as amended recommend its passage.

N. G. SHELLEY, Chairman.

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Finance, to whom was referred Senate bill No. 59, to be entitled "An act for the relief of A. H. Cook," have carefully considered the same, and instruct me to report it back with the following amendment:

Strike out "seven hundred and twenty-five dollars" and insert "six hundred and thirty-six dollars."

And as amended recommend that it do pass.

N. G. SHELLEY, Chairman.

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Finance, to whom was referred Senate bill No. 25, to be entitled "An act concerning Treasury warrants," have carefully considered the same, and instruct me to report the bill back to the Senate and recommend that it do not pass.

N. G. SHELLEY, Chairman.

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Finance, to whom was re-

ferred a telegram from Williams & Guion in relation to State bonds, instruct me to report that they have considered the subject of the telegram, and have, in their judgment, taken such action in regard thereto as is necessary, and ask to be discharged from the further consideration of the subject.

N. G. SHELLEY, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Finance, to whom was referred House bill No. 290, "Joint resolution concerning the debt of Texas," have considered the same and instruct me to report it back to the Senate and recommend that it do pass.

N. G. SHELLEY, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Finance, to whom was referred House bill No. 281, to be entitled "An act providing for a special tax in Wise county," have carefully considered the same, and instruct me to report the bill back to the Senate and recommend that it do pass.

N. G. SHELLEY, Chairman.

Senator Latimer, chairman of the Committee on Roads, Bridges and Ferries, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 129, "An act to authorize Cunningham and Thompson to establish a ferry-boat and toll bridge on the Colorado river near the city of Austin," having had the same under consideration, I am instructed to report it back to the Senate with the following amendments, viz.: In section one, line one, after the word "the," insert "Legislature;" and recommend that it do pass.

H. R. LATIMER, Chairman.

Senator Henry, chairman of Judiciary Committee No. 1, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 1, to whom was referred House bill No. 221, entitled "An act to regulate the testimony of witnesses in cases of bribery," having had the same under careful consideration, instruct me to report it back to the Senate and recommend its passage.

JOHN L. HENRY, Chairman.

On motion of Senator Dillard, the rules were suspended, and the bill, together with the report, taken up.

The bill was read second time, passed to its third reading, and one hundred copies ordered printed, and made special order at 11 o'clock A. M. next Monday.

Senator Henry, chairman of Judiciary Committee No. 1, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 1, to whom was referred Senate bill No. 104, entitled "An act to provide against the evils resulting from the sale of intoxicating liquors in the State of Texas," having had the same under careful consideration, instruct me to report it back, and recommend its passage, with the accompanying amendments.

JOHN L. HENRY, Chairman.

On motion of Senator Dohoney, one hundred copies of the bill and report were ordered printed, and it was made the special order for Monday next at 11 o'clock A. M.

Senator Cole, chairman of the Committee on Private Land Claims, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Private Land Claims having had under careful consideration the memorial of Obediah P. Reams, a soldier of the Texas revolution, and having examined the accompanying affidavits, and the muster rolls on file in the General Land Office, find that said Obediah P. Reams was a private soldier and served during the entire war between Texas and Mexico, as a member of Captain George M. Burroughs' company of Zanesville riflemen, and was honorably discharged. And that said Obediah P. Reams has never received anything, either as a citizen or soldier, from the Republic or State of Texas. Wherefore, your committee instruct me to report the accompanying bill, and recommend its passage.

D. W. COLE, Chairman.

A message was received from the House informing the Senate that the House had passed House bill No. 372, "An act to amend an act amendatory of and supplementary to an act to incorporate the city of Dallas, approved April 20, 1871."

Senator Broughton introduced a bill to be entitled "An act to amend an act entitled an act to organize and incorporate the East line and Red River Railroad Company,

approved March 22, 1871." Read first time and referred to Committee on Internal Improvements.

Senate joint resolution No. 14, "Instructing our Senators and requesting our Representatives in the Congress of the United States to urge the opening of the Indian country north of Texas to settlement," was read third time.

Senator Broughton moved that the resolution be indefinitely postponed.

The President announced that the hour for special order had arrived, viz., the finance bill.

Senator Dohoney moved that the special order be postponed until Monday next. Carried.

The question recurring upon the adoption of the motion offered by Senator Broughton, to indefinitely postpone the resolution, the yeas and nays were called, and the motion adopted by the following vote:

Yeas—Senators Baker, Broughton, Cole, Dillard, Ford, Finlay, Flanagan, Fountain, Gaines, Henry, King, Pyle, Ruby, Swift, Tendick and Word—16.

Nays—Senators Avinger, Dohoney, Evans, Latimer, Saylor, Sayers, Shelley and Mr. President—8.

Substitute for Senate bills Nos. 52, 61 and 68, "An act to amend Sections 1, 114, 192, 217, 235, 240, 242, 250, 251, 252, 266 and 341 of an act entitled an act prescribing the mode of proceeding in district courts in matters of probate, approved August 15, 1870," was read third time and made special order at 11 o'clock A. M. next Tuesday.

House bill No. 185, "An act defining the duties of the Comptroller," was read third time and passed.

On motion of Senator Evans, the rules were suspended, and House bill No. 372, "An act to amend an act amendatory of and supplementary to an act to incorporate the city of Dallas, approved April 20, 1870," was taken up and read first time; rules suspended, read second time; rules further suspended, read third time and passed.

Senate bill No. 136, "An act to amend Article 166 of the Penal Code," together with substitute recommended by the committee, was taken up.

Senator Ford offered the following amendment to the substitute: Amend by striking out the words "not less than two nor more than five years" and insert "not less than two nor more than three years." Lost.

The question recurring upon the adoption of the sub-

stitute, the yeas and nays were called and the substitute adopted by the following vote :

Yeas—Senators Baker, Dohoney, Ford, Finlay, Flanagan, Fountain, Gaines, Hall, King, Pyle, Rawson, Ruby, Saylor, Sayers, Shelley, Swift, Tendick, Tracy and Mr. President—19.

Nays—Senators Avinger, Ball, Cole, Dillard, Evans, Henry, Latimer and Word—8.

The bill was then ordered engrossed.

Senator Ruby introduced a bill to be entitled "An act declaring certain days herein named to be holidays for the observance of the citizens of the State of Texas." Read first time and referred to Judiciary Committee No. 2.

Senator Fountain introduced a joint resolution instructing our Senators and requesting our Representatives in Congress to urge upon the Federal government the propriety of removing certain tribes of hostile Indians from the frontier of Texas. Read first time and referred to the Committee on Indian Affairs.

Senator Sayers introduced a bill to be entitled "An act amendatory of an act entitled an act incorporating the city of San Antonio and other towns therein named, approved December 14, 1837; and also amendatory of an act entitled an act to amend an act incorporating the town of Bastrop, approved February 1, 1845." Read first time, and referred to Judiciary Committee No. 2.

Senator King, chairman of the Committee on Indian Affairs, submitted the following report :

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Indian Affairs, to whom was referred the bill entitled "An act to provide for frontier defense, and for the organization of a regiment of cavalry for that purpose," having carefully considered the same, I am instructed to report it back to the Senate and recommend its passage.

HENRY C. KING, Chairman.

On motion of Senator Fountain, three hundred copies of the bill were ordered printed.

On motion of Senator Flanagan, the Senate adjourned to 10 o'clock A. M. next Monday.